THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15397 OF 2007

DATED 30th JULY, 2007

BETWEEN:

Kandula Prathapa Reddy

… Petitioner

AND

The State of Andhra Pradesh, rep.by its Secretary, Revenue Department, Secretariat, Hyderabad and others.

… Respondents

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ORDER:

The petitioner's grandmother allegedly gifted vacant site to Gram Panchayat for construction of a Veterinary hospital. A hospital was constructed on the site. The grievance of the petitioner is that respondents 4 and 5 have taken up construction activity on the part of the land by encroaching on the same. The petitioner gave a complaint to Mandal Revenue Officer on 15.03.2007, in vain. Therefore, he filed present writ petition seeking a direction to demolish the construction.

Hearing learned counsel for petitioner and learned Assistant Government Pleader for Revenue (General-A), this Court is convinced that the writ petition as laid cannot be accepted. The gift deed under which the petitioner's grandmother allegedly gifted is not correct. Secondly, when the land was already allotted to Veterinary Hospital, it is for the Veterinary Hospital to take necessary action against the alleged encroachers. The petitioner is not concerned when once the property is gifted to Veterinary Hospital. It is open to Veterinary Hospital or Gram Panchayat to take necessary action in the matter.

The writ petition is accordingly dismissed. No costs.

(V.V.S.RAO,J)

30.07.2007.
pln